

To: CN=Dennis McLerran/OU=R10/O=USEPA/C=US@EPA;CN=Michelle Pirzadeh/OU=R10/O=USEPA/C=US@EPA;holzman.marianne@epa.gov;Combes.Marcia@epa.gov;CN=Greg Kellogg/OU=R10/O=USEPA/C=US@EPA;Mcgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; N=Michelle Pirzadeh/OU=R10/O=USEPA/C=US@EPA;holzman.marianne@epa.gov;Combes.Marcia@epa.gov;CN=Greg Kellogg/OU=R10/O=USEPA/C=US@EPA;Mcgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; holzman.marianne@epa.gov;Combes.Marcia@epa.gov;CN=Greg Kellogg/OU=R10/O=USEPA/C=US@EPA;Mcgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; ombes.Marcia@epa.gov;CN=Greg Kellogg/OU=R10/O=USEPA/C=US@EPA;Mcgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; N=Greg Kellogg/OU=R10/O=USEPA/C=US@EPA;Mcgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; cgrath.Patricia@epa.gov;Szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; szerlog.Michael@epa.gov;North.Phil@epa.gov;Thiesing.mary@epa.gov[]; orth.Phil@epa.gov;Thiesing.mary@epa.gov[]; hiesing.mary@epa.gov[]

Cc: CN=Richard Parkin/OU=R10/O=USEPA/C=US@EPA;Anderson-Carnahan.Linda@epa.gov;CN=Jeff Philip/OU=R10/O=USEPA/C=US@EPA;CN=Mark Macintyre/OU=R10/O=USEPA/C=US@EPA;Kader.Hanady@epa.gov;Skadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; nderson-Carnahan.Linda@epa.gov;CN=Jeff Philip/OU=R10/O=USEPA/C=US@EPA;CN=Mark Macintyre/OU=R10/O=USEPA/C=US@EPA;Kader.Hanady@epa.gov;Skadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; N=Jeff Philip/OU=R10/O=USEPA/C=US@EPA;CN=Mark Macintyre/OU=R10/O=USEPA/C=US@EPA;Kader.Hanady@epa.gov;Skadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; N=Mark Macintyre/OU=R10/O=USEPA/C=US@EPA;Kader.Hanady@epa.gov;Skadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; ader.Hanady@epa.gov;Skadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; kadowski.Suzanne@epa.gov;Schuster.Cindy@epa.gov[]; chuster.Cindy@epa.gov[]

From: CN=Anthony Brown/OU=R10/O=USEPA/C=US

Sent: Mon 8/9/2010 3:38:31 PM

Subject: AP/ADN: Fishermen, tribes near Pebble condemn Young bill

Hotspot

<http://www.adn.com/2010/08/06/1398926/fishermen-tribes-near-pebble-condemn.html>

Fishermen, tribes near Pebble condemn Young bill

By MARY PEMBERTON / Associated Press Writer

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ANCHORAGE, Alaska - Commercial fishermen and tribes are condemning a bill they say would cripple the authority of a federal agency to protect the environment near a huge copper and gold mine proposed for southwest Alaska.

At issue is section 404 of the federal Clean Water Act under which the U.S. Army Corps of Engineers dispenses permits for disposing of dredged materials, including those from mining. The law allows the Environmental Protection Agency to veto those permits if it believes they will result in an "unacceptable adverse impact" to fisheries, wildlife, shellfish beds, recreational areas or municipal water supplies.

The Pebble Mine is a controversial project because of its location near some of the world's best wild salmon streams. The mine near Bristol Bay is being readied for permitting next year.

Rep. Don Young's bill would essentially remove the EPA's authority to veto or restrict Pebble's development permits.

Young, R-Alaska, says on his website that the involvement of the EPA in 404 permits is unnecessary and that the criterion is too vague. His bill "streamlines the permitting process by eliminating a level of the bureaucracy," he says.

"Projects in Alaska have been shut down or delayed time and time again by the EPA," Young says. He provides as an example the denial earlier this year of a permit to ConocoPhillips to develop a site near its Alpine oil field on the North Slope.

"These types of projects are important to the safe development of our natural resources and should not be bogged down in politics," Young says on his website.

The congressman introduced his bill on July 30 - days after EPA Administrator Lisa Jackson visited Dillingham and talked with tribes, Bristol Bay's commercial fishermen and others about their concerns about Pebble.

"It is particularly disappointing that he would do this when so many of us Alaskans have asked for the EPA to participate and take a look at the Pebble issue," said Lindsey Bloom with the Alaska Independent Fishermen's Marketing Association.

Jeff Parker, a lawyer who represents six federally-recognized tribes, said Young is mistaken. It was the Corps of Engineers that denied the ConocoPhillips' permit, not the EPA, he said. The EPA has never used that particular section of the Clean Water Act to deny a permit in Alaska, Parker said.

"I think it is deliberate," Parker said of Young's mistake of using Alpine as an example.

He said Young's bill is likely a response to Jackson's visit to Dillingham, where tribes and fishermen asked the EPA to use its authority to preserve habitat for commercial, subsistence and sport fishing, as well as hunting.

Young spokeswoman Meredith Kenny said Young was not thinking about Pebble when he introduced the bill. His intent is to streamline the permitting process and make administration of permits easier, she said.

Tom Tilden, president of the Curyung Tribal Council, said it is important that EPA stays in the mix as the Pebble project moves closer to permitting.

"How the Pebble project expects to isolate their waste is going to be an incredible feat," he said.

"Protection of water, protection of fish, protection of resources. All three of those are in the area. They all need protection."

Tony Brown
Public Affairs Specialist
US EPA Region 10
1200 6th Avenue, Suite 900, MS ETPA-087
Seattle, WA 98101-3140

(206) 553-1203 (desk)
(206) 409-4887 (cell)
(206) 553- 6984 (fax)
Email: brown.anthony@epa.gov